

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In Re Pharmaceutical Industry
Average Wholesale Price Litigation

This Document Relates To:
GOVERNMENT EMPLOYEES HOSPITAL
ASSOCIATION, individually and on behalf
of all others similarly situated,

Plaintiff

v.

SERONO INTERNATIONAL, S.A.,
SERONO LABORATORIES, INC.,
SERONO, INC., RJL SYSTEMS, INC., AND
RUDOLPH J. LIEDTKE,

Defendants.

MDL No. 1456

C.A. No. 05-cv-11935 (PBS)

**SERONO DEFENDANTS' CONSENT TO PLAINTIFF'S
REQUEST TO FILE SECOND AMENDED COMPLAINT
AND JOINT MOTION FOR ENTRY OF THE PARTIES'
AGREED-UPON SCHEDULE FOR RESPONSE**

Pursuant to Fed. R. Civ. P. 15(a), Serono International, S.A., Serono, Inc., Serono Laboratories, Inc. hereby consent to plaintiffs' request to file Second Amended Class Action Complaint submitted herewith. By consenting to the filing of the Second Amended Class Action Complaint, the foregoing defendants do not waive any of their defenses to the Second Amended Class Action Complaint.

The parties jointly move for entry of the agreed-upon schedule for filing the Second Amended Class Action Complaint and defendants' response, as follows:

March 21, 2006 Plaintiffs File Second Amended Class Action Complaint

April 28, 2006 Defendants Submit Motion to Dismiss

June 6, 2006 Plaintiffs Submit Opposition to Motion to Dismiss

June 25, 2006 Defendants Submit Reply Memorandum

Respectfully submitted,

By /s/ David S. Nalven

Thomas M. Sobol
David S. Nalven
Hagens Berman Sobol Shapiro LLP
One Main Street, Fourth Floor
Cambridge, MA 02142
(617) 482-3700

Steve W. Berman
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292

Mark D. Fischer
Jeffrey C. Swann
Mark Sandmann
Rawlings & Associates, PLLC
325 W. Main Street
Louisville, KY 40202
Telephone: (502) 587-8060

Attorneys for Plaintiff

CONSENTED TO:

By /s/ Fred A. Kelly, Jr.

Fred A. Kelly, Jr.
David M. Ryan
Amy R. George
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110
(617) 345-1000
(617) 345-1300

*Attorneys for Serono International, S.A.,
Serono, Inc., and Serono Laboratories, Inc*

Dated: February 22, 2006

CERTIFICATE OF SERVICE

Docket No. MDL 1456

I, David S. Nalven, hereby certify that I am one of plaintiff's attorneys and that, on February 22, 2006, I caused copies of the pleading annexed hereto to be served via VeriLaw on all counsel of record in this proceeding via Lexis/Nexis File Serve.

/s/ David S. Nalven

Dated: February 22, 2006